

# Exhibit AG

1 NO. 21-CI-06290	JEFFERSON CIRCUIT COURT DIVISION FOUR (4) JUDGE JULIE KAELEN	Page 1	1 EXHIBITS (continued): 2 Deposition Exhibit No. 9 ..... 126 3 (RJ Lee J&J Historical Baby Powder Analysis, Dr. Sanchez) 4 Deposition Exhibit No. 10 ..... 139 5 (March 9, 2023 letter to Joseph Satterley and Ian Rivamonte, from Julia E. Romano) 6 Deposition Exhibit No. 11 ..... 140 7 (March 15, 2023 email to Julia Romano and others, from Joseph D. Satterley) 8 Deposition Exhibit No. 12 ..... 146 9 (March 21, 2023 email to Julia Romano and others, from Joseph D. Satterley) 10 Deposition Exhibit No. 13 ..... 147 11 (March 23rd, 2023 status conference, Valadez v. Johnson & Johnson)	Page 3
5 MATTHEW STRECK, Individually, et al.	PLAINTIFFS			
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7				
8 V. VIDEO DEPOSITION FOR THE DEFENDANTS				
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10				
11 JOHNSON AND JOHNSON, et al.	DEFENDANTS			
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13 * * *				
14				
15 DEONENT: WILLIAM E. LONGO, Ph.D.				
16 DATE: MAY 16, 2023				
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21 ELLEN L. COULTER REGISTERED PROFESSIONAL REPORTER COULTER REPORTING, LLC 101 East Kentucky Street Suite 200 Louisville, Kentucky 40203 (502) 582-1627 FAX: (502) 587-6299 E-MAIL: Ecoulter@coulterreporting.com	22	23	24	25
1 INDEX	Page 2	APPEARANCES	FOR THE PLAINTIFFS:	Page 4
2		PAUL J. KELLEY - Via Video Satterley & Kelley, PLLC 8700 Westport Road, Suite 202 Louisville, Kentucky 40242 pkelley@satterleylaw.com		
3 Examination by Mr. Williams ..... 7		FOR THE DEFENDANT, CHATTEM, INC.:		
4 Examination by Ms. Browning ..... 77		JAMES T. WILLIAMS - Via Video Miller & Martin Volunteer Building, Suite 1200 832 Georgia Avenue Chattanooga, Tennessee 37402 james.williams@millermartin.com		
5 Examination by Mr. Vives ..... 78		FOR THE DEFENDANT, JOHNSON & JOHNSON:		
6 Examination by Mr. Smith ..... 150		MICHAEL VIVES - Via Video King & Spalding, LLP 1185 Avenue of the Americas, 34th Floor New York, New York 10036 mvives@kslaw.com		
7 Reporter's Certificate ..... 152		FOR THE DEFENDANT, THE KROGER COMPANY:		
8		TRAVIS R. SMITH - Via Video Dinsmore & Shohl, LLP 211 N. Pennsylvania Street One Indiana Square, Suite 1800 Indianapolis, Indiana 46204 travis.smith@dinsmore.com		
9 EXHIBITS		FOR THE DEFENDANT, BARRETT'S MINERALS, INC.:		
10 Deposition Exhibit No. 1 ..... 12 (January 19, 2023 letter to William E. Longo, Ph.D., from Joseph D. Satterley)		CAROL DAN BROWNING - Via Video Stites & Harbison, PLLC 400 West Market Street, Suite 1800 Louisville, Kentucky 40202 cbrowning@stites.com		
11 Deposition Exhibit No. 2 ..... 20 (Plaintiffs' Expert Witness Disclosure)				
12 Deposition Exhibit No. 3 ..... 30 (Declaration of William Longo, Ph.D., Gina Anderson v. Avon Products, Inc.)				
13 Deposition Exhibit No. 4 ..... 44 (Exhibit R, MAS Chart of Gold Bond Testing, June 23, 2022)				
14 Deposition Exhibit No. 5 ..... 68 (Matthew Streck depo notes)				
15 Deposition Exhibit No. 6 ..... 84 (Matthew Streck deposition, Volume II, dated March 9, 2022)				
16 Deposition Exhibit No. 7 ..... 102 (Dr. Longo's report in the Valadez case, dated February 28, 2023)				
17 Deposition Exhibit No. 8 ..... 110 (EPA Test Method, Method for the Determination of Asbestos in Bulk Building Materials, July 1993)				
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1 could -- could produce all the PLM slides he did in 2 litigation since 2016 or whenever he started.  3 <b>Q. Well, so it sounds like with respect</b> 4 <b>to -- it sounds like you're aware that there was a</b> 5 <b>request made for your PLM slides in the Valadez case?</b>  6       A. Yes, I'm aware of it. I went to go 7 look for them after I got around to it, and what I 8 didn't do is tell anybody here to make sure to keep 9 them --  10 <b>Q. All right.</b>  11     A. -- because I get sidetracked pretty 12 easily at times.  13 <b>Q. And do you recall when you went around</b> 14 <b>to look for them?</b>  15     A. I think it was about two weeks 16 afterwards, something like that.  17 <b>Q. And when you went to look for them</b> 18 <b>they were -- they had been destroyed?</b>  19     A. They weren't there.  20 <b>Q. Okay. So they weren't -- it wasn't</b> 21 <b>that they were degraded. It's that they had been</b> 22 <b>destroyed.</b>  23     A. They don't last. I mean, you can't go 24 back a week or two weeks afterwards and look -- be 25 able to find the same structures because it starts	Page 133	1 oil starts to evaporate, so it's usually, you know, 2 one to two weeks. Sometimes, you know, if I've 3 looked at the report and stuff or it's out, there's 4 no need to keep it. You know, to go back and find 5 that exact one bundle, sometimes it would be tough. 6 I don't think anybody keeps them.  7 <b>Q. Right. And is it your view that -- so</b> 8 <b>after one to two weeks if the oil evaporates the</b> 9 <b>slides are unusable?</b>  10     A. I don't know if they're absolutely 11 unusable, but to go back to the same structures, it 12 may not be possible. So it's just -- nobody keeps 13 them.  14 <b>Q. Have you ever tried to analyze or</b> 15 <b>relook at a PLM slide two weeks after it was prepared</b> 16 <b>to see whether you can see anything?</b>  17     A. No. I'm not going to take the time to 18 go and start doing an experiment because somebody -- 19 they wanted to come here and analyze a sample.  20       I'd be perfectly happy to have, you 21 know, Dr. Sanchez -- well, his PLM person come here, 22 watch us make the sample. We can go and look for it 23 and say here's the structure, go ahead and look at 24 it. What is the difference? Probably better that 25 way.	Page 135
1 crystallizing.  2 <b>Q. Right, but --</b>  3       A. This is not like TEM grids where you 4 have to go through a whole thing and you can pull 5 them out and -- which we've done. PLM -- you can't 6 ship a PLM slide, and you can always make it again.  7 <b>Q. Okay. But I just want to make sure</b> 8 <b>we're clear because I think first you testified that</b> 9 <b>when you went to look for them you couldn't find</b> 10 <b>them. Is that --</b>  11     A. If they're not there, it's hard to 12 find them.  13 <b>Q. Right. Okay.</b>  14     A. So they're not here. And they were -- 15 they were just -- they were thrown out.  16 <b>Q. Okay. And do you have any idea when</b> 17 <b>they were thrown out?</b>  18     A. I don't know within the date -- when 19 it was actually thrown out or not. It was thrown 20 out, but I don't know the date.  21 <b>Q. Okay. We may look at a few things on</b> 22 <b>this, but I think you just said -- well, I guess let</b> 23 <b>me just ask. What is your view on how long it takes</b> 24 <b>PLM slides to degrade?</b>  25     A. Well, they start crystallizing and the	Page 134	1 <b>Q. Okay. But not Dr. Sanchez? His PLM</b> 2 <b>person?</b>  3       A. He doesn't -- he never analyzes them. 4 You know, and he accused me of committing a felony, 5 so I have a problem with him coming in my lab, you 6 know, that I'm lying under oath all the time.  7       He would come here, but he's going to 8 have somebody else do the PLM analysis. I think we 9 offered that as a compromise, but that's what, you 10 know -- I would just say Dr. Sanchez can go ahead and 11 write the report that we misidentified it. He can do 12 that. He doesn't have to come here and analyze it.  13 <b>Q. Are you aware of any peer-reviewed</b> 14 <b>literature that states that PLM --</b>  15     A. I can't hear you.  16 <b>Q. Sorry. I've got this new microphone</b> 17 <b>that's been causing all sorts of problems. Are you</b> 18 <b>-- I like yours a lot better.</b>  19 <b>Are you aware of any peer-reviewed</b> 20 <b>literature that states that PLM slides degrade after</b> 21 <b>one to two weeks?</b>  22     A. You know, it's hard for me to chase 23 down every time somebody comes up with something that 24 they want to know or there's some literature. I 25 don't know.	Page 136

1	A. The slides were gone. And by that	Page 149	1 <b>Powder or Gold Bond talcum powders that may have been</b>	Page 151
2	time probably -- I don't know -- I just don't recall		2 <b>purchased from Kroger as opposed to another store?</b>	
3	ever telling Mr. Satterley that.		3 A. That's correct, I have not.	
4	<b>Q. Okay. Okay. That's fine. So all you</b>		4 MR. SMITH: Okay. I think that's all	
5	<b>recall telling him is that the slides were gone.</b>		5 I have. Thank you.	
6	A. They were not -- they were not kept.		6 THE WITNESS: Thank you.	
7	<b>Q. And you don't recall when you would</b>		7 MR. VIVES: All right. No further	
8	<b>have told him that. Presumably, it was after that</b>		8 questions for me either, Dr. Longo.	
9	<b>March 15th email we looked at?</b>		9 THE WITNESS: Thank you, sir.	
10	A. Yeah, they -- I did not -- they were		10 MR. KELLEY: Any other questions?	
11	not here.		11 MS. BROWNING: None from me.	
12	MR. VIVES: Okay. All right. Let me		12 MR. WILLIAMS: None for Chattem.	
13	just take two minutes and just see if I have anything		13 MR. KELLEY: All right. I think we	
14	else. I think that may be it for me.		14 can close the record.	
15	THE WITNESS: Okay. Is anybody else		15 THE MODERATOR: We are off the record	
16	going to ask questions?		16 at 4:03 p.m.	
17	MR. SMITH: I'll be very brief.		17	
18	Should I go during the two minutes while you look at		18 (DEPOSITION CONCLUDED AT 4:03 P.M.)	
19	your notes, Michael?		19 * * *	
20	MR. VIVES: Sure. Go ahead.		20	
21	MR. SMITH: At least I think I'll be		21	
22	very brief.		22	
23			23	
24			24	
25			25	
1	EXAMINATION	Page 150	1 STATE OF KENTUCKY )(	Page 152
2			2 ) ( SS: ) (	
3	BY MR. SMITH:		3	
4	<b>Q. Dr. Longo, my name is Travis Smith.</b>		4 I, ELLEN L. COULTER, Notary Public,	
5	<b>Can you hear me okay?</b>		5 State of Kentucky at Large, hereby certify that the	
6	A. Yes, sir, I can.		5 foregoing deposition was taken at the time and place	
7	<b>Q. I represent Kroger. Have you reviewed</b>		6 stated in the caption; that the appearances were as	
8	<b>any documents of Kroger as it relates to this case,</b>		6 set forth in the caption; that prior to giving	
9	<b>this Streck case, or cosmetic talc products</b>		7 testimony the witness was first duly sworn by me;	
10	<b>generally?</b>		7 that said testimony was taken down by me in	
11	A. No.		8 stenographic notes and thereafter reduced under my	
12	<b>Q. And I didn't see Kroger mentioned in</b>		8 supervision to the foregoing typewritten pages and	
13	<b>your notes and calculations page that we marked as</b>		9 that said typewritten transcript is a true, accurate	
14	<b>Exhibit 5. Have you formed any opinions in this case</b>		9 and complete record of my stenographic notes so	
15	<b>specifically as to Kroger?</b>		10 taken.	
16	A. No, I don't have any opinions about		10 I further certify that I am not	
17	Kroger, you know, who knew what when, should they		11 related by blood or marriage to any of the parties	
18	have known, not known, hazard, dangers of asbestos.		11 hereto and that I have no interest in the outcome of	
19	It's immaterial to me where the product was bought.		12 Given under my hand this the	
20	My only opinion is about what's in the product. It		13 day of , , at	
21	could have came from Kroger or any other grocery		14 Louisville, Kentucky.	
22	store.		15 My commission as Notary Public expires	
23	<b>Q. And you haven't done any</b>		16 November 5, 2023.	
24	<b>quantification or calculated any cumulative dose for</b>		17	
25	<b>Mr. Streck with respect to either Johnson's Baby</b>		18	
			19	
			20	
			21 ELLEN L. COULTER	
			22 NOTARY PUBLIC	
			22 Notary I.D. 634549	
			23	
			24	
			25	